

05-29-01

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DOCKET NO.  
27943-411USC1

JC872 U.S. PTO  
09/866135

05/25/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING RULE 53 CONTINUATION/DIVISIONAL APPLICATION

In re Application of:

Magnus Hallenstål, Tomas Nylander, Ros-Marie Furtenback, and Jan Alvar Gjärdman

This is a request for a:

  X   Continuation                    )  
  ) Application filed under 37 CFR 1.53(b)  
      Divisional                    )

of U.S. patent application:  
Serial No.: 09/353,135  
Filed: July 14, 1999

Title: NARROWBAND APPLICATIONS USING ATM SWITCHING AND TRANSPORT

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL

"EXPRESS MAIL" Mailing Label No. EL749031400US. ....  
Date of Deposit: May 25, 2001 .....  
I hereby certify that this paper or fee is being deposited with the U.S. Postal  
Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on  
the date indicated above and is addressed to: Box Patent Application,  
Commissioner for Patents, Washington, D.C. 20231

Type or Print Name: CAROL MARSTALLER .....  
*Carol Marstaller*  
Signature

Dear Sir:

- X   1. **Attached** is a patent application including:
- X   Abstract (page 27)
  - X   Specification (including claims), 26(numbered pages 1-26) (**must be attached**)
  - X   Drawings   7   sheet(s)/1 set   X   informal;  
      Formal of size   X   8½ x 11"       A4 (Figures 1-7)
- 1A. Always X one box, only:
- 1a. Newly executed oath or declaration (original or copy) of       pages.
  - 1b. A signed declaration or oath as originally filed in prior application  
      attached. Number of pages

- (1) This application is filed by less than all of the inventors named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are not inventor(s) of the invention being claimed in this application:

1. \_\_\_\_\_ 2. \_\_\_\_\_  
3. \_\_\_\_\_ 4. \_\_\_\_\_

\_\_\_\_ 1c. Incorporation by reference:  
The entire disclosure of prior application \_\_\_\_\_, from which a copy of the oath or declaration is being supplied under Box 1b is considered as being a part of the disclosure of the accompanying application and is hereby incorporated by reference herein.

X 1d. A declaration is not being supplied at this time. A declaration will be forwarded subsequently.

\_\_\_\_ 2. Attached are seven (7) sheets of informal drawings (Figs. 1-7) and a letter to the Official Draftsperson.

\_\_\_\_ 3. Priority is claimed under 35 U.S.C. 119/365 based on filing in \_\_\_\_\_ (country) of

<u>Application No.</u>	<u>Filing Date</u>	<u>Application No.</u>	<u>Filing Date</u>
(1) _____	_____	(4) _____	_____
(2) _____	_____	(5) _____	_____
(3) _____	_____	(6) _____	_____

- \_\_\_\_ a. \_\_\_\_\_ (No.) Certified copy/copies attached.  
\_\_\_\_ b. Certified copy/copies previously filed on \_\_\_\_\_ in U.S. Application No. \_\_\_\_\_, filed on \_\_\_\_\_.  
\_\_\_\_ c. Certified copy/copies filed during International stage of PCT/\_\_\_\_\_.  
\_\_\_\_ d. Priority is also claimed from PCT/\_\_\_\_\_ filed \_\_\_\_\_.

4. Prior application is assigned to Telefonaktiebolaget L M Ericsson by means of an Assignment recorded on \_\_\_\_\_ at Reel \_\_\_\_\_ Frame \_\_\_\_\_
5. Attached is an Assignment and Cover Sheet. Please return the recorded Assignment to the undersigned.  
(NOTE: add assignment filing fee below.)
6. The power of attorney in the prior application is to at least:  
The address of whom is in item 8.

I hereby appoint:

TIMOTHY G. ACKERMANN, Reg. No. 44,493  
BENJAMIN J. BAI, Reg. No. 43,481  
JOSEPH M. BEAUCHAMP, Reg. No. 46,544  
MARY JO BOLDINGH, Reg. No. 34,713  
MARGARET A. BOULWARE, Reg. No. 28,708  
DANIEL J. BURNHAM, Reg. No. 39,618  
THOMAS L. CANTRELL, Reg. No. 20,849  
RONALD B. COOLLEY, Reg. No. 27,187  
THOMAS L. CRISMAN, Reg. No. 24,846  
STUART D. DWORK, Reg. No. 31,103  
WILLIAM F. ESSER, Reg. No. 38,053  
ROGER J. FRENCH, Reg. No. 27,786  
JANET M. GARETTO, Reg. No. 42,568  
MARK GATSCHET, Reg. No. 42,569  
JOHN C. GATZ, Reg. No. 41,774  
RUSSELL J. GENET, Reg. No. 42,571  
GERALD H. GLANZMAN, Reg. No. 25,035  
LEKHA GOPALAKRISHNAN, Reg. No. 46,733

J. KEVIN GRAY, Reg. No. 37,141  
KEITH P. GRAY, Reg. No. 46,738  
STEVEN R. GREENFIELD, Reg. No. 38,166  
JOSHUA A. GRISWOLD, Reg. No. 46,310  
J. PAT HEPTIG, Reg. No. 40,643  
SHARON A. ISRAEL, Reg. No. 41,867  
JOHN R. KIRK JR., Reg. No. 24,477  
PAUL R. KITCH, Reg. No. 38,206  
TIMOTHY M. KOWALSKI, Reg. No. 44,192  
JAMES F. LEA III, Reg. No. 41,143  
HSIN-WEI LUANG, Reg. No. 44,213  
ROBERT W. MASON, Reg. No. 42,848  
ROGER L. MAXWELL, Reg. No. 31,855  
LISA H. MEYERHOFF, Reg. No. 36,869  
STANLEY R. MOORE, Reg. No. 26,958  
RICHARD J. MOURA, Reg. No. 34,883  
P. WESTON MUSSELMAN JR. Reg. No. 31,644  
RAMA B. NATH, Reg. No. 27,072  
DANIEL G. NGUYEN, Reg. No. 42,933  
MICHAEL K. NUTTER, Reg. No. 44,979

SPENCER C. PATTERSON, Reg. No. 43,849  
RUSSELL N. RIPPAMONTI, Reg. No. 39,521  
ROSS T. ROBINSON, Reg. No. 47,031  
STEPHEN G. RUDISILL, Reg. No. 20,087  
HOLLY L. RUDNICK, Reg. No. 43,065  
J.L. JENNIE SALAZAR, Reg. No. 45,065  
KEITH W. SAUNDERS, Reg. No. 41,462  
JERRY R. SELINGER, Reg. No. 26,582  
JAMES O. SKARSTEN, Reg. No. 28,346  
ZACHARY J. SMOLINSKI, Reg. No. 47,100  
GARY B. SOLOMON, Reg. No. 44,347  
STEVE Z. SZCZEPANSKI, Reg. No. 27,957  
ANDRE M. SZUWALSKI, Reg. No. 35,701  
ALAN R. THIELE, Reg. No. 30,694  
TAMSEN VALOIR, Reg. No. 41,417  
BRIAN D. WALKER, Reg. No. 37,751  
GERALD T. WELCH, Reg. No. 30,332  
HAROLD N. WELLS, Reg. No. 26,044  
WILLIAM D. WIESE, Reg. No. 45,217

- 7a. Recognize \_\_\_\_\_ as having associate power of attorney.  
(Name and Reg. No.; Address as in item 8 unless otherwise indicated)
- 7b. Since a power does not appear in the original papers, a copy of the power in the prior application is attached.
8. Address all future communications to:

Keith W. Saunders  
Jenkins & Gilchrist, P.C.  
1445 Ross Avenue  
Suite 3200  
Dallas, Texas 75202-2799

9. Amend the specification by inserting before the first line of the application the sentence: -- This Application is a Continuation of Application No. \_\_\_\_\_ filed \_\_\_\_\_

10. \_\_\_\_\_ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27  
 \_\_\_\_\_ have been filed in above prior application (and is still be believed to be proper and desired)  
 are attached hereto.

11. **PETITION to extend the life** of the above prior application to at least the date hereof.

(One box must be X'd)

is being concurrently filed in that prior application.

is concurrently being filed in that prior application (Check length of prior extension). A photocopy of the extension request is attached.

X should not be necessary for copendency (Double check before X'ing this box).

12. **INFORMATION DISCLOSURE STATEMENT:** Attached is a Form PTO-1449 listing documents of record in the parent application(s) relied upon under 35 U.S.C. 120 and referenced above. As per Rule 98(d), copies of those documents are not required now. As per MPEP 609, Applicant understands that the Examiner will consider all information considered in the parent application(s). However, for the convenience of the Examiner, Applicant has attempted to consolidate a listing of all the documents previously considered to ensure their listing on the first page of the issued patent. Please fully consider these documents and advise that they have been considered in this new application by returning signed copies of the enclosed Forms PTO-1449 with the Examiner's initials in the left column as per MPEP 609. Applicant respectfully requests that the Examiner also consider any additional information, from the parent application(s), as per MPEP 609.

13. Attached is a Rule 103(a) Petition to Suspend Action.

X 14. **PRELIMINARY AMENDMENT to be entered before fee calculation:** (Do not make amendments here except for correction of improper multiple dependencies or cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do not cancel all claims).

**Prior to a first Office Action, Kindly amend the Application as follows:**

\_\_\_\_ Please cancel Claims \_\_\_\_\_, without prejudice.

X Please enter the attached Preliminary Amendment and amend the claims as set forth therein. This Preliminary Amendment includes a Substitute Abstract on a separate sheet.

- X 15. The following Filing Fee calculation is based on the claims filed as altered by the Preliminary Amendment of Item 14.

NOTE: If box 1A2 is X'd, do not pay any fees at this time.

					SMALL ENTITY RATE		LARGE ENTITY RATE		
BASIC FEE				<u>Design</u> Appln.	\$160	<u>OR</u>	\$320	=	\$ ____
BASIC FEE				<u>Utility</u> Appln.	\$355	<u>OR</u>	\$710	=	\$ 710.00
	NUMBER FILED			NUMBER EXTRA					
TOTAL CLAIMS	44	-20	=	<u>24</u> (at least 0)	x 9	<u>OR</u>	x 18	=	+\$432.00
INDEP. CLAIMS	7	-3	=	<u>4</u> (at least 0)	x 39	<u>OR</u>	x 80	=	+\$320.00
If any <u>proper</u> multiple dependent claim (ignore improper) is present					+\$135	<u>OR</u>	+\$270	=	+\$ ____
If assignment is x'ed (Item 5)..... add recording fee (\$40.00)									+\$ ____
If "petition" Item 11 above is X'd .....add petition fee (\$130.00)									+\$ ____
TOTAL FILING FEE =									\$1,462.00

- X 16. ATTACHED: (other) acknowledgment postcard
- X 17. A check in the amount of \$1,462.00 to cover the TOTAL FEE is attached.
- \_\_\_\_ 18. Please charge my Deposit Account No. \_\_\_\_ in the amount of \_\_\_\_ to cover the TOTAL FEE. This sheet is attached in duplicate.
- \_\_\_\_ 19. No filing fee is enclosed pursuant to 37 C.F.R. §1.53(b).

- X 20. The Commissioner is hereby authorized to charge payment of the following fees for filing or anytime during the pendency of this application or credit any overpayment to Deposit Account No. 10-0447.
- X Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- X Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

Respectfully submitted,

Dated May 25, 2001

By: Keith W. Saunders  
Keith W. Saunders  
Registration No. 41,462

JENKENS & GILCHRIST, P.C.  
1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202  
(214) 855-4732  
(214) 855-4300 (Fax)

**NOTE:** File this Request in duplicate with a return postcard and attachments or in triplicate if item 3 is marked.